

United States District Court
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

SILVESTER HAYES §
§
v. § CIVIL ACTION NO. 3:23-CV-2271-S
§
CITY OF DALLAS, HOLLY HARRIS, §
WALTER PAUL GUAB, and DALLAS §
POLICE OFFICERS DOES 3 §
THROUGH 10 §

ORDER

Before the Court is Plaintiff Silvester Hayes's Amended Motion for Leave to Amend His Original Complaint or Alternatively Motion for Extension of Time to File a Response in Opposition to Defendants' Motion for Summary Judgment and Rule 12(b)(6) Motion to Dismiss ("Motion") [ECF No. 25]. Having reviewed and considered the Motion and the applicable law, the Court **GRANTS** the Motion to the extent that the Court grants Plaintiff leave to amend his Complaint. The Clerk is instructed to receive and file Plaintiff's First Amended Complaint in the form as received with the Motion. *See* ECF No. 25-1.

In light of this Order, the Court **TERMINATES AS MOOT** Defendant City of Dallas's Motion to Dismiss Plaintiff's Original Complaint [ECF No. 14], Defendants City of Dallas, Walter Paul Guab, and Holly Harris's Motion for Summary Judgment [ECF No. 15], Plaintiff's original Motion to Amend [ECF No. 23], and Plaintiff's alternative request for an extension of time to respond to Defendants' Motions. Finally, the Court directs the Clerk to **STRIKE** Plaintiff's First Amended Complaint [ECF No. 24].

SO ORDERED.

SIGNED March 4, 2024.


KAREN GREN SCHOLER
UNITED STATES DISTRICT JUDGE